

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M. Pieper, et al.	Examiner: James Henry Alstrum Acevedo
Serial No.: 10/625,129	Group Art Unit: 1616
Filed: July 23, 2003	Docket: 1/1382
Customer No.: 28501	Confirmation No.: 8804

For: PHARMACEUTICAL COMPOSITIONS FOR INHALATION CONTAINING
AN ANTICHOLINERGIC, CORTICOSTEROID, AND BETAMIMETIC

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO RESTRICTION REQUIREMENT

Sir:

This Reply is in response to the May 10, 2006 Office Action issued in the above-identified application. In that Office Action, a one-month shortened statutory period was set for response. Applicants hereby petition for the necessary one-month extension of time under 37 C.F.R. § 1.136 to respond to that action and note that the fee required under 37 C.F.R. § 1.17(a)(1) in connection with this Reply will be paid during electronic filing via the Revenue Accounting and Management System. If it is determined that any additional fees under 37 C.F.R. §§ 1.16 or 1.17 are due in connection with this Reply, the Director is hereby authorized to charge such fees to Deposit Account No. 02-2955.

In the Office Action, the Examiner imposed a two-way restriction in the present application under 35 U.S.C. §121:

- I. Claims 1-14 and 18-21, drawn to pharmaceutical composition comprising an anticholinergic of formula 1, depicted in claim 1, a corticosteroid, and a betamimetic, classified in class 514, subclass 212.01; and
- II. Claims 22-27, drawn to pharmaceutical aerosol formulations comprising an anticholinergic of formula 1, depicted in claim 1, a corticosteroid, and a betamimetic, classified in class 424, subclass 45.

The Examiner also indicated that claims 15-17 would be examined if Group II were elected.

In response to the restriction requirement, applicants elect, without traverse, the subject matter of Group I (claims 1-14 and 18-21) for substantive examination on the merits. Applicants make this election expressly without waiver of their right to file for and obtain claims directed to the non-elected subject matter in divisional or continuing applications claiming priority and benefit herefrom, or from a related application, under 35 U.S.C. § 120.

Applicants also respectfully submit that all the pending claims are allowable and therefore solicit a Notice of Allowance for all of the pending claims. If the Examiner feels that a telephone interview would be helpful in advancing prosecution of this application, the Examiner is invited to contact the attorney below.

Respectfully submitted,

/wendy petka/

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